

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 300 be amended to read as follows:

- 1 Page 2, line 7, after "1." insert **"(a) This chapter applies only to**
- 2 **contracts entered into after June 30, 2011.**
- 3 **(b)".**
- 4 Page 2, line 26, delete "or agreement that allows for cancellation by"
- 5 and insert **"that, after the initial contract period has expired, allows**
- 6 **for cancellation of the contract by the consumer by written notice**
- 7 **within:**
- 8 **(A) thirty (30) days; or**
- 9 **(B) one (1) month."**
- 10 Page 2, delete lines 27 through 28.
- 11 Page 2, line 32, delete "recipient" and insert **"consumer"**.
- 12 Page 2, line 34, delete "recipient" and insert **"consumer"**.
- 13 Page 2, line 36, after "conspicuous" delete "as" and insert **"means:**
- 14 **(1) in type larger than the surrounding text;**
- 15 **(2) in contrasting type, font, or color to the surrounding text**
- 16 **of the same size; or**
- 17 **(3) set off from the surrounding text of the same size by**
- 18 **symbols or other marks in a manner that clearly calls**
- 19 **attention to the language."**
- 20 Page 2, delete lines 37 through 38.
- 21 Page 3, line 12, after "7." insert **"(a)".**
- 22 Page 3, line 13, delete "includes an automatic renewal clause in the
- 23 contract" and insert **"automatically renews unless the consumer**
- 24 **cancels the contract shall disclose the automatic renewal clause**

1 clearly and conspicuously in the contract or contract offer.

2 (b) A person who offers to enter into a contract that  
3 automatically renews unless the consumer cancels the contract  
4 shall clearly and conspicuously disclose how to cancel the contract  
5 in the initial contract, the contract offer, or with the delivery of the  
6 product or service."

7 Page 3, delete lines 14 through 17.

8 Page 3, delete lines 34 through 35, begin a new paragraph and  
9 insert:

10 "Sec. 9. If a person:

11 (1) enters into a contract with a consumer that automatically  
12 renews; and

13 (2) fails to comply with this chapter;

14 the contract shall revert to a thirty (30) day renewal contract in  
15 accordance with the same terms."

(Reference is to ESB 300 as printed April 15, 2011.)

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Representative Eberhart